

STATE BOARD OF ELECTIONS
Regular Meeting
Monday, November 21, 2016

MINUTES

PRESENT:

Charles W. Scholz, Chairman
Ernest L. Gowen, Vice Chairman
William J. Cadigan, Member
Andrew K. Carruthers, Member
Betty J. Coffrin, Member
John R. Keith, Member
William M. McGuffage, Member
Casandra B. Watson, Member

ALSO PRESENT:

Steven S. Sandvoss, Executive Director
James Tenuto, Assistant Executive Director
Kenneth R. Menzel, General Counsel
Amy L. Calvin, Administrative Assistant II

The meeting convened at 10:30 a.m. via videoconference with all Members present. Chairman Scholz and Members Carruthers, Coffrin and Keith were present in Springfield and Vice Chairman Gowen and Members Cadigan, McGuffage and Watson were present in Chicago.

The Chairman opened the meeting by leading everyone in the pledge of allegiance.

Member Carruthers moved to approve the minutes from the October 18 meeting as presented. Member Coffrin seconded the motion which passed by roll call vote of 8-0. Member Keith moved to approve the November 4 meeting minutes with his minor spelling revision as noted. Member Watson seconded the motion which passed by roll call vote of 8-0.

Brent Davis presented a resolution to Vera Bolden who tendered her retirement as of November 30. Mr. Davis thanked Ms. Bolden for her service and wished her the best of luck.

Staff service awards were presented to the following employees: Gary Nerone – 15 year award; Kim Patrick – 15 year award; Kyle Thomas – 15 year award; Bruce Brown – 20 year award; and Kevin Turner – 30 year award. The Chairman thanked all of the staff for their hard work and also congratulated those employees who received service awards.

The General Counsel presented a settlement offer for Agenda item 4.a.1, *SBE v. Friends of Kelvin Oliver*, 25189, 14JQ138 and summarized the matter. The offer of \$500 is just under 15% of the fine amount, however, he recommended it be accepted because it fell within the Board's policy for settlement amounts less than 50% for small dollar committees. No one was present on behalf of the committee. Member Coffrin moved to accept the settlement offer. Member Carruthers seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented the following appeals of campaign disclosure fines where he concurred with the hearing officer recommendation to grant the appeals for Agenda items 4.a.2-8:

- 2) *SBE v. Pike County Republican Central Committee*, 591, 16JQ007;

- 3) *SBE v. Citizens for Michael F. Sheahan*, 5857, 16JQ016;
- 4) *SBE v. Village Party*, 12780, 16AD028;
- 5) *SBE v. Citizens for Alderman Reilly*, 19263, 16AJ019;
- 6) *SBE v. Ballot Access Illinois*, 25933, 16AM054;
- 7) *SBE v. Friends of George Vargas*, 31722, 16AQ028;
- 8) *SBE v. Maria Bedolla LaCour for the Citizens of Waukegan*, 32066, 16JQ147.

Vice Chairman Gowen moved to grant the above appeals. Member Carruthers seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented the following appeals of campaign disclosure fines where he concurred with the hearing officer recommendation to deny the appeals for Agenda items 4.a.9-11:

- 9) *SBE v. Williamson County Republican Central Committee*, 584, 16AJ008;
- 10) *SBE v. Citizens for Theilen*, 20255, 16AJ022;
- 11) *SBE v. Citizens for Powers*, 31887, 16D1003.

No one was present on behalf of the committees. Member Carruthers moved to deny the above appeals and also accept the recommendation of the General Counsel for item 11. Member Coffrin seconded the motion which passed by roll call vote of 8-0.

The General Counsel presented a violation of a board order for Agenda item 4.a.12, *Johnson v. Kane County Conservative Coalition*, 14CD109 and recommended the imposition of a \$5000 fine to the respondent committee for failure to file comply with the previous board order. No one was present for the complainant or the respondent. Member Keith moved to accept the recommendation of the General Counsel. Member Cadigan seconded the motion which passed by roll call vote of 8-0.

A listing of payments of civil penalty assessments was presented for informational purposes.

Member Keith moved to recess to executive session to consider a complaint following closed preliminary hearing. Member Coffrin seconded the motion which passed by roll call vote of 8-0. The meeting recessed at 11:00 a.m. and reconvened at 11:07 a.m. with all Members present as noted in the initial roll call.

As to Agenda item 4.a.14, *SBE v. Friends Supporting Flora Digby*, 16CD131, Member Keith moved to find that the complaint was filed on justifiable grounds, however, based on the filings, there is no further action ordered other than referral to staff for the imposition of a civil penalty. Member Watson seconded the motion which passed by roll call vote of 8-0.

The Executive Director presented the November 8, 2016 General Election activities and asked Brent to give a post-election update to the Board. Mr. Davis thanked the IT staff for creating a temporary website for voters to access polling place location and other pertinent election information. The phone system was also revised to assist voters with quick access to those common questions as well. He noted that most staff worked 12 hour shifts and that the day was relatively low key. Staff received calls regarding run of the mill inquiries such as, ID requirements, polling place locations, campaign free zones, etc. Kevin Turner discussed the temporary website home page and said there were 412,000 visitors and just under 10 million hits from 6:00 p.m. on

election eve through 9:00 a.m. on the day after the election. The POVA website had almost 199,000 visitors and 3,400,000 hits during that same time frame. The election day staff assignments listing was included on pages 46-47 of the board packet for informational purposes. Member Keith requested that consideration of review of staff compensation for working on a state holiday (Election Day) be placed on the December 5 Agenda. The Executive Director noted that a thorough report from Kyle Thomas on pre-election voting system testing was included in the board packet and indicated that seven jurisdictions were tested. Mr. Thomas also added that only two jurisdictions had precincts reporting after 2:00 a.m. The City of Chicago had 57 precincts reporting late due to human errors and Marion County had an issue with a TSX machine which was resolved by reloading the encoder.

A listing of election judge training schools was presented for informational purposes.

Cris Cray gave a brief legislative update and said the Automatic Voter Registration (AVR) bill passed out of the Senate with one Republican vote and will now go to the House. She indicated veto session will resume on December 29 and it would take approximately 71 Democratic Members of the House to override the veto of the bill. The Republican version of the bill and the analysis was introduced in the House and the Senate and Ms. Cray felt it was a good piece of legislation. She will continue to keep the Board informed of any updates.

Mr. Thomas presented the Senate Bill 172 update and said, in the past, Anchor Computing was contracted to perform the required matching with the Statewide Database and the National Change of Address information. Now that the SBE is a member of ERIC, they will provide the matching service for us as a member benefit and that is scheduled to be completed on December 1. Mr. Turner said staff continues work on the AMVA portion of the website and its connectivity with Washington D.C. to access social security information. As to the database breach, Mr. Turner also reported that staff planned to contact the Attorney General's office to seek guidance on how to proceed with the letters that were returned without a forwarding address.

The Executive Director presented an Inter-Agency agreement between the SBE and State Employee Retirement System (SERS)/General Assembly Retirement System (GARS) for SBE assistance to conduct the GARS Trustee Election. He explained that earlier in the year staff conducted the SERS Annuitant Trustee Elections and have been providing this service to SERS for approximately twenty years. At a previous board meeting it was agreed if SERS would request such assistance again that an Inter-Agency Agreement would be drafted and presented to the Board for discussion. The Executive Director noted that the Agreement was included on pages 54-56 of the board packet. Member Keith recused himself from the matter as he is an annuitant of the system. Member Cadigan indicated that, even with the Agreement, he felt it was outside the scope of the SBE's legislative mandate and there was no legal authorization to do so. Discussion ensued concerning the terms of the Agreement and the possibility of legislation to give authorization to conduct these elections. It was agreed that in the absence of legislation, the Board will discontinue the practice of conducting and counting of the trustee annuitant elections for SERS/GARS.

The required six month review of the executive session minutes was presented. The Executive Director reported that he and the General Counsel reviewed the minutes and determined the necessity of confidentiality does not exist as to the release of such minutes for the period of April 15, 2016 thru September 19, 2016. Member Cadigan moved to accept the recommendation of the General Counsel and remove the need for confidentiality from the minutes noted above. Member Keith seconded the motion which passed by roll call vote of 8-0.

The fiscal reports of activity were presented for informational purposes.

With there being no further business before the Board, Member Carruthers moved to adjourn until December 5, 2016 in Chicago. Vice Chairman Scholz seconded the motion which passed unanimously. The meeting adjourned at 12:05 p.m.

Respectfully submitted,



Amy L. Calvin, Administrative Assistant II



Steven S. Sandvoss, Executive Director